

QUID NOVI

Journal des étudiant-e-s
en droit de l'université McGill

McGill Law's
Weekly Student Newspaper

Volume 32, n^o9

30 novembre 2010 / November 30th 2010

QUID NOVI

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*Journal des étudiant-e-s
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Volume 32, n°9

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WANT TO TALK? TU VEUX T'EXPRIMER?

Envoyez vos commentaires ou articles avant
jeudi 17h à l'adresse : quid.law@mcgill.ca

Toute contribution doit indiquer le nom de
l'auteur, son année d'étude ainsi qu'un titre
pour l'article. L'article ne sera publié qu'à la
discretion du comité de rédaction, qui

basera sa décision sur la politique de
rédaction.

Contributions should preferably be submitted as
a .doc attachment (and not, for instance, a
".docx").

QUID
STAFF

QUID HOUSEKEEPING

This time of year feels oxymoronic—sort of like the concept of an “End of Term Party.” On one hand, December is full of promise: temporary academic emancipation is within reach, the holidays will be reuniting many of us with our families, and for the incredibly lucky, a beach is around the corner. On the other hand, however, December means exams, and not just any exam, a LAW exam. Some of us will be greeted by the deceptively friendly 1-line question. Others will feel their hearts race as they skim through a 2-3 page fact pattern. Then of course, there is the lack of sleeping. The lack of eating. And for those who shall remain nameless, the lack of showering.

The Quid Novi would like to take this opportunity to wish everyone good luck on exams (stay strong!!!) and a happy holidays. We look forward to reuniting with you all again in the 2011 edition of the Quid; hopefully, the New Year will bring with it, in addition to our usual supporters, new participating Quid authors.

With the above in mind, the Quid Novi would like to take care of the following housekeeping items:

[1] The Quid Novi will be accepting articles over the break. If you are bored or simply miss being in touch with Chancellor Day Hall, please submit anything and everything to quid.law@mcgill.ca.

[2] The first issue after the break will be coming out on January 11th, 2011.


[3] The Quid Novi will be holding interviews for the positions of Co-Editor-in-Chief in January 2011.

We ask interested students to submit the following to the Quid Novi email address (quid.law@mcgill.ca) by Friday, January 14, 2011 at 5 p.m.:

- 1) Curriculum Vitae
- 2) Letter of intent explaining why you want the position of Co-Editor-in-Chief of the Quid Novi and what experience (if any) you have with publishing.

Please take note that we are actively seeking a pair of Co-Editors who, together, are capable of both writing and editing the newspaper in French and English. It should also be noted that prior experience with publishing or the Quid itself is not necessary (both, however, are obviously assets).

Finally, the Quid Novi would like to thank all Associate Reviewers, Layout Editors, Staff Writers, Cartoonist, Webmaster, Online Reporters and especially our In-House Diva for their time and effort over the past 15 weeks. And, of course, most importantly we would like to express our gratitude towards the true heart of this paper, namely, our weekly contributors.


 LEE
MCMILLAN

THEY HURT YOU AT HOME AND THEY HIT YOU AT SCHOOL

As a pot-smoking, classic rock-listening teenager, sympathetic to any cause that could proudly call itself 'Left', I remember feeling let down by my own generation, a generation that seemed so politically apathetic, so colour-less, so...dare I say, conservative. Today I feel similarly or should I say 'think' similarly, for I should admit that the onslaught of theory that came to define my undergrad did a wonderful job pissing on anything passionate about my political views, to the point where I am still unable to pass by a protest without smirking in condescension, or talk to an activist without thinking: "oh my God, how naive". No, today I arrived at the topic of age the same way I happen upon most things these days, as a part of an 'experiment' in perspectives, which I like to play around with perhaps a little too self-consciously.

If it wasn't this, it had to have been the -44 degree weather back in Calgary, and the inevitable phone call that followed from my whimsical mother who, staring bitterly at her lifeless, snow-covered garden, must have reminded herself how financially entitled her son was. She must have thought: "I've seen the Facebook pictures, this little is drinking his face off and living the high life while I, at the ripe old age of 53, am slaving away tirelessly when really, I should be retired." Apparently I am the obstacle standing in the way of my mother and her quest for happiness, which apparently involves golf courses in warm places.

To be fair, I am incredibly grateful for the support I have already received, but the sense of entitlement does still exist. In my frantic search for better, clearer reasons as to why I still deserve her support, I was distraught to discover little more than anecdotal experiences from some of my friends facing similar situations. In case you are wondering, or in case you are just not in a position to relate: "But my friends' parents do it for them!" is an incredibly weak line if you're looking to fill your piggy bank these holidays on your return to mommy and daddy. After all, if you are anything like me you have been using this line for 15 years now, scheming your way into everything from free toys to extended curfews. After a while these get-rich-quick techniques lose their touch. Drastic times call for drastic rhetorical measures.

Yet, in the search for my very own trump card, a heavy hitting argument comparable to a Charter rights claim, I found myself calling out into the wilderness. If you are going to better your own situation by loading up on an arsenal of

analogies from the academic literature, you ought to be sure that useable sources exist to begin with. I came to the realization that, for all the progress critical theory has made in terms of shifting the categories of political identity away from simplicity (i.e. east/west ideology etc.) towards nuance (race, religion, gender), it is of little help to a poor student looking to draw attention to his or her exploitation at the hands of a Boomer generation.

To the extent that the term 'Y generation' makes its way into print journalism at all, it is either used to complain about our generation's irresponsible distaste for twenty five year career commitments or to prophesize about the state of the economy two decades from now. How likely is it that these authors are in fact in a state of panic or at least state of realization that they themselves are approaching a state of dependency vis-à-vis the generation that is liable to sport the costs of their KFC-induced bypass surgeries? Healthcare: that big, awkward elephant at the center of the room, where baby-boomer-filled house of common committees try to justify decreases in graduate-level student aid while increasing the proportion of tax dollars devoted to healthcare.

Do I have a bone to pick with the flower power generation? Probably not. For now, as I said before, it is just a fad, or temporary point of interest. But what if, in 25 years' time, having just paid off my student loans and having just spent a quarter of my life schmoozing my way up to partnership, I learn from my boss that I am being let go because of economic conditions totally outside of my generation's control? Did I really just stare at that guy's ugly mug for two decades straight, and for nothing? Surely, at that point, I will have a bone to pick. What is worst is that I'm likely to look back to 2010 and think myself somehow responsible for gutlessly acquiescing to it.

Why then is there very little, in this day and age, linking young people together into a self-identifying, solidary political movement, comparable to that of the boomer generation? Arguably, you might say, a series of other historical circumstances coalesced at the right moment, and in fact allowed for the anti-war movement to gain so much force and momentum. But what has prevented younger generations from engaging the political scene in meaningful ways, and with solidarity, since then? Surely, if I'm a white, heterosexual, Republican male attending McGill Law, I have a lot more in common with the Asian, homosexual, Democrat fe-

male sitting next to me than I do with the octogenarian country bumpkin, sipping away at his bottle of Jack Daniels somewhere near Taber, Alberta. Why should this particular individual, in order to express his shared set of political interests with this female classmate of his, have to sit through a two hour Young Liberals meeting, where Justin Trudeau is liable to be lisping and tossing his locks?

After a one week experiment in viewing the world through the partisan lens of a hardcore Y-gener, I have come to the conclusion that we ought to band together. All signs point to doom. Nothing is being seriously done about global warming. We are spending more and money on healthcare we are likely not to personally use and which a growing rights culture is rendering increasingly more accessible to sufferers of chronic diseases. The effects of globalization and market integration are affecting Canadian sovereignty to the point where, even if we do take over the political reins, the carriage will have already lost any kind of horsepower it might have once enjoyed. At the same time, the growing appetites of rising giants like India, Brazil, or China are already promising to cut us off from the standards of living enjoyed from cradle to grave by our post-WWII predecessors.

Why can't Age sustain itself across the eras as a force to be reckoned with, regardless of the context? I understand that there are particular states of compromise to be sought for, and I would be the first to shiver in disgust at the idea that all politics ought to be evaluated from the perspective of individual self-interest. One month cozied up to Ayn Rand was enough to turn me off from that. I am a firm believer that an informed political position involves placing oneself in the shoes of others. It requires that one understands the various actors, interests, and institutions in a given society as mutually symbiotic; a realization that, however divergent the goals of these various elements may be, they are nonetheless inextricably bound and reliant on one another. In short, politics is not a zero-sum game with winners on the one hand losers on the other. But at the same time one cannot help but wonder whether some groups are doing a better job at 'winning' than others.

You'll find the oral version of the article at:

<http://www.youtube.com/watch?v=KZuhmHNleBw>

Law II

KIRK
EMERY

ATTENTION 1L'S


Right about now many of you feel wretched. You feel like you're not learning to swim in this sea of legal jargon and reasoning that you're sinking while your peers race to a far off finish line. Luckily for you, many of your classmates feel the same way. Unfortunately for you, you don't know how normal you are, and that law school doesn't require that you feel upside down.

Warning: this is a plot spoiler—a glimpse into your future. You'll write the exams, feel the stress, and wonder over winter holidays how poorly you did on them. When the marks are released in January, you'll open the electronic folders and search with shaky hands and sweaty palms for your identification number. I remember doing it. And my peers remember doing it. Once you find your number and trace your finger towards the corresponding mark on the other side of the spreadsheet, the tension will ease. You didn't do as well as you would have liked. But you could have done much worse. You see, the curve is menacingly steep: few students get straight A's, and few get straight C's, while D's are a true rarity. Most will get B's, and a few will have an A or a C tossed in. No sweat. Something simi-

lar will happen next semester. And the next. To the remarkable end of two McGill Law degrees and a better future than you might otherwise have had.

Sometimes scholars from different traditions and different eras stumble across similar ideas. The 17th century rationalist philosopher Spinoza, and the 19th century psychoanalyst Freud, offer a similar message. By identifying the source or cause of your feelings, and disconnecting that cause from the feelings, the feelings will lose their pressing importance. I believe some Buddhists might have said this too. It's important to realize that you needn't feel stress and anxiety right now. Identify the source of your suffering—that you may or may not get the law as well as your classmates, or whatever—and learn that these feelings are unnecessary. You can exist without anxiety. The trick is to disconnect your suffering from what you determine to be its source. Do that, and then reflect on your improvements.

I'm offering this message because I wish I had realized it 12 months ago. Relax, read a novel - you'll do fine.



TIMIEBI
AGANABA

GETTING YOUR OPINIONS OUT THERE: WHAT ARE THE REPERCUSSIONS?

Living in a society that embraces and encourages freedom of speech and being a chronic Facebook status updater, I thought it would be a good idea and more constructive use of my time to take my commentary away from my Facebook status and instead contribute to the school newspaper as a columnist or a commentary writer. With that, I wrote my first commentary piece for the McGill Daily and when I actually saw it in print, as dramatic as it sounds, I started to think about what kind of impact such a public display of my *personal and purely subjective opinions* in a semi official source could have on my future and started to get a little worried.

It sounds farfetched but it got me thinking about Sonia Sotomayor, the US Supreme Court Justice sworn in last year. If accepted by the Senate, she would have become (and did become) the first Hispanic and third female Justice of the Supreme Court; so you can imagine that after her nomination by Obama many people had many opinions on this issue!

What struck me was despite her excellent credentials and record, she had made a statement some years earlier which was used to label her as a "sexist, racist Latin supremacist". The offending statement was *"I would hope that a wise Latina woman with the richness of her experiences would more often than not reach a better conclusion than a white male who hasn't lived that life"*. I don't seek to assess the statement here but in the line of her critics I went to research her history to find public statements that she had made that depict these so called racist and sexist tendencies and was surprised as to how far back you can dig into a person's past and how now, with the internet, anything anyone has ever written can be found in an instant.

I will come to how this relates to my com-

mentary piece later but I found that she certainly has always been bold about highlighting the cause of Latinos. Outside of her judicial decisions, I found a letter she wrote in 1974 to the editor of the Princeton Dailies while she was an undergraduate at Princeton University where *she said "The lack of commitment on the part of the university to the Puerto Rican or Chicano heritage seems self-evident from these facts (which) ...imply and reflect the total absence of regard, concern and respect for an entire people and their culture. In effect, they reflect an attempt — a successful attempt so far — to relegate an important cultural sector of the population to oblivion."* It seems to me a perfectly fine statement (if the facts support it) but a critic can read that to say that she was a trouble maker from the start and could feel justified to say that her writings as far back as 1974 tell a story today about who she is fundamentally.

Now, as a graduate law student you may wonder why I would be surprised that critics would focus so much on past statements for 2 related reasons:

- 1) If one accepts the critical legal tendency that asserts that law is politics then clearly political tactics will be used even when appointing judges.
- 2) As a lawyer I should know that if you want to destroy the credibility of a witness in court then one way is to find something that he has done and said at some other time that contradicts what he or she is saying now to show that he is a liar and untrustworthy so their evidence cannot be relied upon (even if you know he really is a credible witness!)

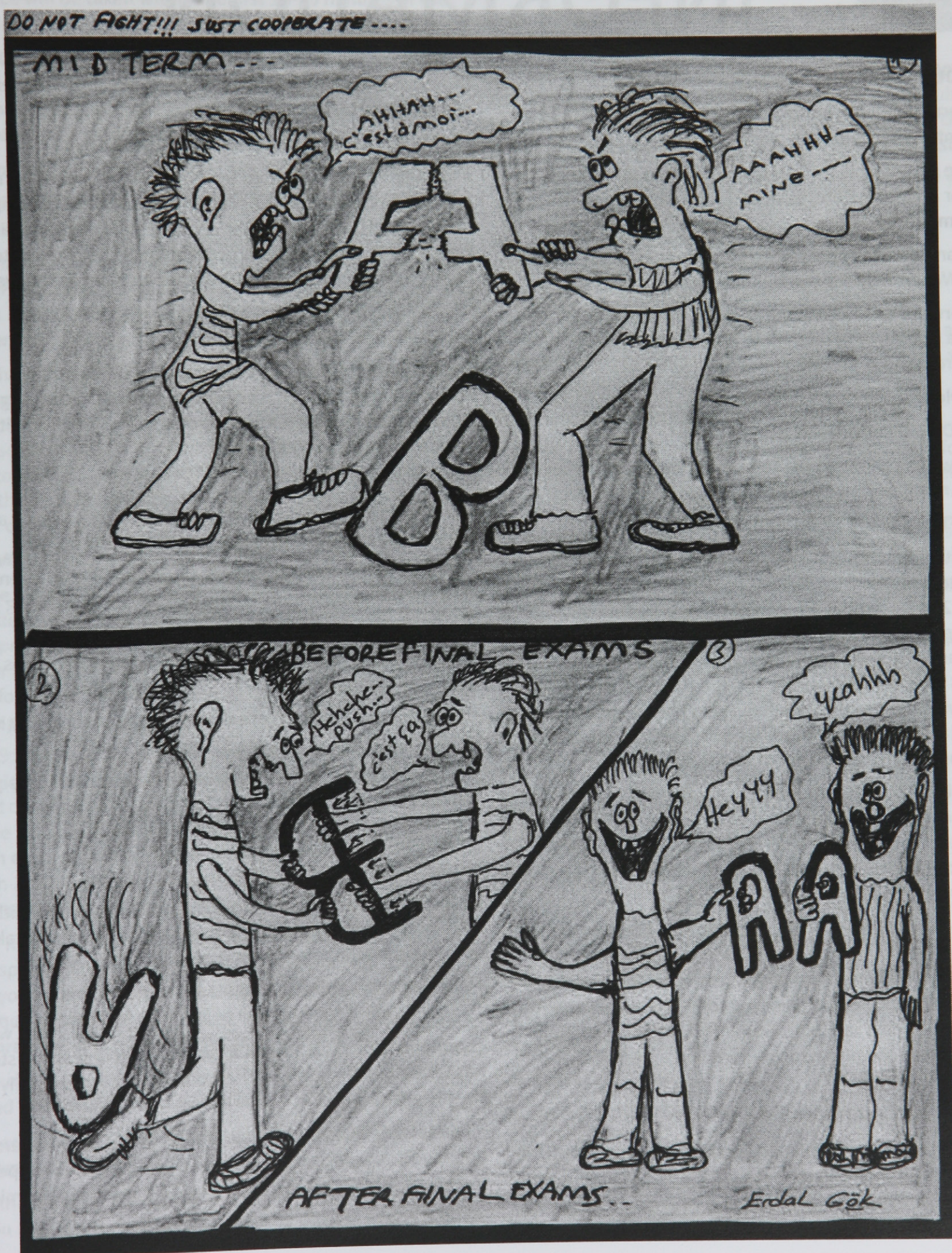
It then dawned on me what my problem really was. I suddenly thought to myself, what if I'm lucky enough that one day someone like Obama gives me the call and

says "Hey, we want you"? What does my record show and how far back will people go? My mind surprisingly didn't go back to Facebook and all the rubbish I said (or the pictures), but I suddenly came back to my first commentary piece in the McGill Daily and I thought about the attacks I had made on the British and Nigerian educational system and the opposition that I could receive for my opinions and whether 10 years down the line one would say I was not loyal to my countries or that I'm racist or what not. I concluded post fact that it is not easy to make public statements or to express opinions publicly. When you think of the potential repercussions, either now or in the future, it is enough to make you put away your ink pot and get back to doing socially acceptable things, like drinking!

Whilst I have published articles and presented my work or academic work at different international fora, it has always been easy to defend my statements even when criticized because I could hide behind the academic sources that I'd used to make my arguments. **But when it comes to a subjective opinion based on personal experience, there is nothing and no one to hide behind.**

All that said I will still continue to write commentary pieces in the McGill Daily and anywhere else. Why? Because I think the expression of opinions and having to defend those opinions whether right or wrong leads to societal progression. If you don't say what you think for fear of being disagreed with you not only limit your own potential but limit the amount of springboards out there from which further ideas could be developed. I will though take a note from Sotomayor in that 1974 letter to the editor, where she said *"words are transitory; it is the practice of the ideas you espouse that affect society and are permanent"*.

CARTOON



IMPORTANT EXAM INFORMATION

BACK UP YOUR WORK

As end of term deadlines approach, the SAO would like to remind students to back up their work.

Students are responsible for backing up all computer work whether it be for an assignment, term essay, take-home exam, course summaries...

The loss of any data may not necessarily result in a deferral or an extension. We strongly suggest multiple forms of back up,

E.g., USB, forward to McGill email Account, network space. Students have a 100MB limit on their P: drives. More info on storage space from the IT Knowledge base:

<http://knowledgebase.mcgill.ca/it/easylink/article.html?id=2211>

EXAMINATION INFORMATION

Please review the exam information posted on the SAO web site: <http://www.mcgill.ca/law-studies/information/exams/>.

LAPTOP SOFTWARE FOR FINAL EXAMINATIONS

The University approved software, SecurExam, will be available to students to download for December 2010 final exams from November 22 to December 10, 2010. Students intending to use a laptop during the Fall 2010 term examination period MUST complete the examination agreement, download the software and run a test 48 hrs prior to an exam. This is a firm deadline – NO extensions will be permitted. Students who have used the software in April 2010 do not need to re-download the software, but they must complete the Agreement and run a test.

As of November 22, 2010, students must go to myCourses, look for the course law-law-student affairs-examinations. You will see an icon "Laptop Examinations" - all relative information regarding the policy and the software are located there. Please read all instructions carefully.

Loaners: As of December 5, 2010, students may borrow a laptop via ICS-Audio Visual Arrangements Section located at Information Technology Customer Service, AV/Services, 688 Sherbrooke street, Room 285. This will be on a first-come-first serve basis and limited to two days at a time. Students borrowing a laptop are still required to complete the Examination agreement and run a test beforehand.

PICK UP YOUR EXAMINATION NUMBER

All students writing a final examination (sit down, laptop or take-home) must pick up their Fall term 4-digit Examination Number from the SAO. Examinations are to be written anonymously via

the exam number. You will be blocked entrance to an exam room without your McGill ID Card and Examination Number.

TERM PAPERS AND ALL TERM ESSAY DEADLINES

All courses being evaluated by a Term Paper and all Term Essays are to be submitted to the SAO on **December 15, 2010 no later than 15:00h** unless an earlier deadline has been established.

Please verify with your instructor on how the paper is to be identified – by name or McGill ID number. Use the SAO Cover page for written work [.doc].

LANGUAGE OF EXAMINATIONS

The attention of all students is drawn to the fact that it is the policy of the Faculty that "Examinations are set in the language in which a course is given, but may contain materials in either French or English." (Reg. 20).

DEFERRED EXAMINATIONS

- Are available to students who for medical reasons or analogous causes cannot write examinations at the normal time.
- Students must inform the SAO, prior to or within twenty-four hours of the examination, of the reasons for requesting permission to write a deferred examination.
- Supporting documentation, such as a doctor's note, is required.
- Deferred examinations are written at the Law Faculty in the month of August.

The following are reasons for which a deferred exam request(s) will normally NOT be granted:

- Employment reason
- Travel/vacation/social plans
- Medical problems which do not seriously interfere with immediate pre-exam preparation or the student's ability to take the exam on the scheduled exam day.
- Airline flights and schedules
- Deferred examinations are not available to a student who has commenced to write a regular examination unless the student has taken ill in the examination room (must immediately inform the invigilator)
- For each deferred exam that is approved, an "L" (deferred) will appear on your record beside the course; it will not appear on official transcripts after the final grade has been determined.

IN THE EXAM ROOM

- You must present your McGill ID card to the invigilator prior to entering the exam room. You will receive a seat number (random selection). The seat number will correspond to the desk where you MUST write your examination.

- Your McGill ID card and seat card must remain on the desk through-out the examination.

- Attendance will be taken within the first 15-20 minutes of the exam starting.

- **NEW: ALL STUDENTS MUST REMAIN SEATED until the invigilator(s) have picked up your exam and you have signed out. Invigilators have been instructed to report the names of students who do not respect this policy.**

- Upon completion of the exam, you are required to sign out.

- The invigilator(s) in the exam room keep the official start/end time of an exam.

When the invigilator announces the end of the examination you MUST STOP WRITING. Invigilators have been instructed to report the names of students who continue to write/type to the SAO. This is a serious offence and will not be tolerated.

- Cell phones, iPods, MP3 players, PDAs, electronic dictionaries, Web access devices are not to be used during an exam. They must be turned off and stored away in your bag or locker. If found these items will be confiscated by the invigilator and turned over to the SAO. You are NOT permitted to use your laptop to access the web, class notes, summaries or any other saved information during an exam.

TAKE-HOME EXAMS

Take-home exams for both Undergraduate Students and Graduate students must be picked up and handed in within the examination period. **The December examination period ends December 21st at 5:00pm.** Students will find all exam schedules available for download on the Current courses & registration information page.

Between 9:00 and 17:00, Monday to Friday, take-home exams must be picked up and handed in at the SAO. Outside those hours and on weekends, it is possible to pick up and return a take-home exam from the Law Library. Students who wish to pick up an exam at the Law Library must inform SAO in advance (minimum 2 working days) and use the Take-home exams - library pickup request form.

If you are RETURNING a take-home examination to the Library, it is your responsibility to ensure the Circulation Desk is open at the time your examination is due (see Law Library schedule). You will be required to sign a submission list. **Exams submitted outside of library service hours will be considered late.**

Students who merely wish to return their exam to the Law Library need not advise SAO in advance.

Students are advised of the following when planning for a take-home examination(s):

1. Check the duration of your take-home examination (6hrs – 72 hrs). If you are unsure, ask the instructor to clarify this in class;

2. Should you wish to pick up your examination from the Law Library, you must inform the SAO in advance (minimum 2 working days) and use the Take-home exam- library pickup request form. Take-home examinations are to be individual exercises, and so confidentiality of questions and answers must be maintained unless specific instructions are provided on the exam regarding student collaboration;

3. Students are encouraged to read the McGill Student guide to avoiding plagiarism;

4. Remember, if you are RETURNING a take-home examination to the Library, it is your responsibility to ensure the Circulation Desk is open at the time your examination is due (see Law Library schedule). You will be required to sign a submission list.

5. Use the SAO Cover page for written work [.doc] for your take-home examination.

All inquiries should be directed to the SAO via info.law@mcgill.ca.

Available Classrooms Space During the Exam Period

Please note that some rooms in NCDH have been set aside for those needing a place to complete take home exams, see the schedule below.

Take note of the restrictions below:

- Exams may be taking place in adjacent room; therefore, noise levels must be kept to a minimum or you may be asked to vacate the room.

- Take-home examinations are to be individual exercises, and so confidentiality of questions and answers must be maintained unless specific instructions are provided on the exam regarding student collaboration

- The room configuration is not to be altered and no food is to be consumed in the rooms.

Day	Date	Room	Time
Monday	06/12	203	9:00 - 18:30
Tuesday	07/12	203 & 204	9:00 - 18:30
Wednesday	08/12	203 & 204	9:00 - 18:30
Wednesday	08/12	NCDH 101 & 102	9:00 - 18:30
(For Extra-Contractual Obligation Take Homes only)			
Thursday	09/12	203 & 204	9:00 - 14:00
Friday	10/12	203 & 204	14:00 - 18:30
Monday	13/12	203 & 204	9:00 - 18:30
Tuesday	14/12	203	9:00 - 18:30
Wednesday	15/12	203 & 204	9:00 - 18:30
Thursday	16/12	203	9:00 - 18:30
Friday	17/12	203 & 204	9:00 - 18:30
Monday	20/12	203 & 204	9:00 - 18:30
Tuesday	21/12	203	9:00 - 18:30

VINCENT
BOCA ET
QUENTIN
VIBERT

LE MONSTRE DES TOILETTES DU SOUS-SOL

Vous êtes-vous déjà demandé alors que vous étiez assis sur votre trône dans les toilettes au sous-sol du NCDH, comment ce faisait-il que 9 personnes aient eu le temps de rentrer aux toilettes sans faire de bruit, y faire ce qu'ils avaient à y faire, tirer la chasse tous en même temps et repartir sans que vous les remarquiez ? Ou encore, vous êtes-vous déjà retrouvé le soir sur un des canapés du sous-sol, assis tranquillement, avec comme seuls compagnons des rangées de casiers, quand tout d'un coup des torrents d'eau se sont déversés tels les Chutes du Niagara, sans que vous ne sachiez d'où ils venaient ni pourquoi ?

Et bien les auteurs de ces lignes oui. Et la raison de ces incompréhensions ou de ces soudaines peurs réside dans le système de chasse d'eau automatique, qui veut que chacun des 9 (et oui, ceci est un article dument préparé) urinoirs dans les toilettes du sous-sol voit sa chasse d'eau tirée automatiquement à fréquence haute, quelle que soit l'utilisation qui en est faite. En dehors de vous faire part des passionnantes anecdotes liées à nos moments intimes, le but de cet article est d'apporter à la commu-

nauté mcgilloise le regard de deux étudiants en échange qui ont abouti, en se basant sur les mêmes faits et sans s'être consultés, à la même conclusion. Un tel gaspillage d'eau n'est pas tolérable tant il ne semble pas justifié.

Au-delà de ces constatations qui peuvent sembler anecdotiques, il nous a semblé que de telles pratiques témoignent de mauvaises habitudes de consommation qu'il convient de souligner. En effet, avec un prélèvement de 1420m³ d'eau par habitant à l'année, le Canada est le deuxième plus gros consommateur d'eau au monde après les Etats Unis. Cela représente une consommation moyenne de 329 litres d'eau par jour par habitant. Selon Environnement Canada, 30% de cette eau servirait à... actionner les chasses d'eau !

Il ne s'agit évidemment pas de nous placer en donneurs de leçons, mais simplement de mettre en évidence une situation qui nous paraît absurde et à laquelle il est urgent de remédier pour éviter un gâchis quotidien aussi inutile qu'incompréhensible.

ENVIRONMENT
LAW MCGILL
AND STUDENT
ANIMAL LEGAL
DEFENSE
FUND

THE ENVIRONMENTAL & ANIMAL WELFARE IMPACTS OF INTENSIVE FARMING: EXPLORING THE LEGAL FRAMEWORK AND POTENTIAL AVENUES FOR CHANGE

The areas of environmental and animal law found common ground on November 8, 2010, when two student groups jointly hosted a panel discussion on intensive farming at the Law Faculty. The Student Animal Legal Defense Fund at McGill and Environmental Law McGill chose the subject of intensive farming because it provided a chance to examine a pressing issue that unites the groups' interests and concerns with the state of the environment, the welfare of animals, and public health.

We know that the intensive farming methods of the past decades have vastly boosted crop yields and meat and dairy production while keeping food costs quite low, and society has benefited as a result. But society also pays a very high, often overlooked, cost for these gains – significant environmental pollution, negative consequences for ecosystems and public health, and serious adverse effects on animal welfare. The question is: How can we feed the world without trashing it?

The impacts of intensive farming are often out of sight and mind, but they are widely prevalent here in Quebec and around the world. The three panel speakers at this event addressed the impacts of intensive farming from scientific, social, and legal perspectives, discussed current and alternative methods of farming, examined the current legal framework governing farming in Canada and the US, and explored possible avenues for mitigating the negative impacts of food production.

The panelists included: Kaitlyn Mitchell, a staff lawyer with Ecojustice, Canada's leading environmental law organization; Navin Ramankutty, an Assistant Professor of Geography and Earth System Science at McGill, and Canada Research Chair in Land-Use and Land-Cover Change; and David Wolfson, Adjunct Professor of animal law at Columbia Law School and NYU Law School.

ELM would like to thank the LSA for its generous contributions to the conference.

MICHAEL SHORTT
DAVID NEWSTONE
CARLY KLINKHOFF
IBRAHIM ATTAR

FITNESS FOR LAW STUDENTS (PART 4)

Day 2: Push Muscles

(Back, Biceps, Hamstrings, Hips, Obliques, Glutes)

What are the goals of this program?

This is a general fitness program, and will promote fat loss, as well as increased strength, balance, and cardio conditioning. Its primary purpose is to help you lose weight, and that is where you will see the most obvious results.

Who is the program for?

This program is aimed at beginners: those who have never tried weightlifting, or who have worked out for less than a year. If people are interested, we'll come out with an intermediate program later this year. The program can work for either men or women, although we'll admit that some of the exercises are more guy-friendly (like push-ups).

What's the time commitment?

Three workouts of at most one hour per week. The time per workout will decrease as you get better at the program, since you

will be able to perform exercises faster and you will need less rest between exercises. Your workouts will quickly take around 45 minutes, and if you're really, really good, 30-35 minutes.

How do I schedule my workouts?

Your exercise session will alternate between the two exercise programs. We'll call these Day 1 and Day 2 for simplicity, but you can also think of them as "Push Muscle Day" and "Pull Muscle Day". Although you'll be exercising three days a week, there are only two workout routines, so your alternation will look like this: week 1: Day1/Day2/Day1; week 2: Day2/Day1/Day2; week 3: Day1/Day2/Day1; etc. Leave at least one day between workouts. The McGill gym tends to be busiest between 12pm and 8pm, with peak usage between 4 and 6 pm. Exercise before 10 am or after 9 pm if you don't like crowds or waiting for equipment.

Article continued on page 12

STUDENT
AFFAIRS
OFFICE

FACULTY OF LAW PRIZES AND SCHOLARSHIPS 2010-2011

In May of each year, the Faculty awards a number of prizes and scholarships for continuing and graduating students.
<http://www.mcgill.ca/law-studies/information/prizes/>

Students are encouraged to nominate themselves or a fellow student(s) for Discretionary prizes. Instructors are also encouraged to submit nomination forms for students.

Complete the Discretionary prizes application form - 2011 available on the SAO web page and submit to the SAO by **Friday, April 29, 2011, 3pm.**

Students applying for a prize or scholarship based in part on financial need, will need to register with the Student Aid Office via Minerva first. Students need to apply for the In-Course Financial Aid found under the Financial Aid menu on Minerva AND email McGill Student Aid with the Subject indicating **your name** and the **name of the award** you are applying for.

B.C.L., LL.B. graduating students (and past graduates) planning to pursue graduate studies are encouraged to apply for a post-graduate scholarships, application forms are also due on **Friday, April 29, 2011 at 3pm.**

Recap: Training Objectives

Technique (form and range of motion): Technique means that you can perform exercises exactly as described in the instructions below, while maintaining good posture and breathing. You should also be able to perform the exercise through a full range of motion.

Speed: Once you've mastered the proper form and full range of motion for each exercise, you are ready to increase the speed at which you complete the exercise. Increased speed should never come at the expense of technique. Focus on a quick, controlled rhythm and avoid momentum.

Reps/Weight: Your final goal is to increase the number of repetitions of the exercise or the amount of weight you are lifting. For bodyweight exercises, increase the number of reps to 20 if you find that 15 is too easy, and eventually to 25. For exercises with added weight (dumbbells, barbells, cables, machines), increase the amount of weight until you can only perform 10 repetitions, then build back up to 15. Once you can consistently do 15 repetitions, increase the weight again. Repeat this process as long as you are making strength gains.

Reps: start at 15 per exercise. For bodyweight, increase up to 20 if you find 15 too easy (increase max to 25). For weight, increase weight until you can only do 10 reps, and then build back up to 15. Repeat this process for as long as you make gains.

Workout Structure

The workout consists of six pairs of exercises (i.e. six supersets). Each superset is performed twice, with no rest in between exercises or in between supersets (other than time needed to move from one exercise station to another), for a total of 4 uninterrupted sets. Then there is a rest period before starting the next pair of supersets. If each letter represents an exercise, the workout looks like this: ABAB, rest, CDCD, rest, EFEF,...

The workout closes with a core/ab routine. The first four exercises in the routine are bridges/planks that you will hold for 15-30 seconds (beginner-intermediate) or for up to a minute (advanced). As soon as you finish one plank/bridge, move on to the next one. The last two exercises are ab exercises that you perform immediately after completing the planks. Aim for 20-30 reps.

Rest periods between supersets should start at 1 minute, and as you get better at performing the program, you can shorten them down to 30 seconds. Always take the rest period, even if you don't feel like you need it. Use a stopwatch or look at the clock in order to keep your rest periods honest! Try to avoid resting during the superset (i.e. not AB rest AB rest CD rest...) but if you need time to recover, take it. In this case your first goal should be to eliminate any rest periods during the exercise pairs.

Spend five to ten minutes warming up with a light jog, jump rope or other low-intensity exercise. If you live close to your gym, jogging there is an excellent warm-up.

Program Itself

1. A. Concentration curls Reps: 15 Weight: Use your judgement

Sit on a bench or chair and hold a dumbbell in one hand, with your arm fully extended. Brace your elbow against the inside of your leg and curl your arm upwards, completing a half-circle from top to bottom. Keep your forearm rigid and do not allow your wrist to flex. Control the dumbbell's descent on the way down. Repeat 15 times and then switch to the other arm.

[Picture: Beginning of motion]

[Picture: Top of motion]

B. Cross lunge Reps: 15 Weight: Body weight

Technique: Stand with hands on hips or use for balance as needed. Lunge forwards and across your body on one leg, landing on the front of your foot. Lower your body until the knee of rear leg is almost touching floor. Return to starting position by pushing off of floor with rear leg. Repeat and switch to the other leg after 15 reps. Keep your back straight throughout the motion. Degree of cross-over will depend on your balance and flexibility.

[Picture: Bottom of lunging motion]

2. A. Rotator cuff cable pulls Reps: 15 Weight: Keep it light

Technique: You will be exercising each arm twice; first rotating inwards, then outwards. Adjust the cable mechanism to the same height as your elbow. Start by pulling the cable across your body from the outside to the inside (first two pictures). Do these 15 times, and then do it with the other arm. Now switch back to your first arm, and this time pull the cable from the inside across to the outside (this movement will be harder and you may need to reduce the weight slightly). Do this 15 times and then switch to the other arm. While completing all movements, focus on holding your wrist rigid and keep your elbow pinned to your side. The entirety of the movement should come from the rotation of your shoulder. Note that you will need to start with very light weight in order to complete the exercise with proper technique.

[Picture: Outside-across-in, start]

[Picture: Outside-across-in, end]

[Picture: Inside-across-out, start]

[Picture: Inside-across-out, end]

B. Romanian dead lift Reps: 15 Weight: Use your judgement

Technique: Hold a dumbbell in one hand (you can use two lighter dumbbells if it helps your balance). Stand on one foot and extend the other leg for balance as needed. Keeping your back straight, lower the dumbbell forwards until it almost touches the floor or you feel a stretch in your hamstrings. Then straighten your torso back to a standing position. Keep the knee of your supporting leg straight, and again, focus on keeping your back straight throughout the process, since this is what ensures correct targeting of the muscles. Do this 15 times and then switch to the other foot. The exercise involves a lot of balance and you may find yourself falling over. If this happens, stop, return to the starting position and start that rep from scratch. Note: I have no idea where the name comes from. There's another exercise called a Bulgarian split squat and one called the Russian Twist... as far as I know only former Eastern Bloc countries have exercises named after them. Well, that and Arnold Schwarzenegger.

[Picture: Top of movement]

[Picture: Bottom of movement]

3. A. Cable pull down Reps: 15 Weight: Use your judgement

Technique: Find a cable pull down machine and adjust seat/thigh pads to comfortable heights. Reach up and grab the cable bar. Your arms should be fully extended with a slight stretch; your butt should still be on the seat though! Pull the bar towards your upper chest while leaning back slightly. In order to target your back muscles you need to get the bar within 1-2 inches of your chest, so use a weight that's light enough to make this happen. Return the bar slowly to the starting position and repeat 15 times. You can use either wide or narrow grip cable attachments.

[Picture: Bottom of motion from side]

B. Hamstring curl Reps: 15 Weight: Use your judgement

Technique: Find a hamstring curl machine. The McGill gym has a lie-down version, a sit-down version and a standing version. We recommend the sit-down one. Adjust the pads to a comfortable position. Choose a weight that allows you to curl your legs as far inwards as possible, since you get the most benefits from the exercise if you have a full range of motion.

[Picture: End of motion]

4. A. Side bridge flex Reps: 15 Weight: Bodyweight

Techniques: Lie on your side on a yoga mat. Raise yourself upwards using one arm (either fully extended or on your elbow). Keep your hips and legs rigid so that your body forms a triangle. Lower your hips back to floor, then straighten your body again. Do this 15 times, then switch to the other side.

[Picture: Side view of start of movement]

[Picture: Side view of end of movement]

B. Lower back extension Reps: 15 Weight: Bodyweight

Techniques: Lie on the lower back extension machine and hook your legs in to it. Lower your torso in a controlled manner to the ground until it is pointing straight down. Raise your torso back to horizontal or slightly above, then return to starting position. Repeat 15 times.

[Picture: Side view of start of movement]

[Picture: Side view of end of movement]

5. A. Seated row Reps: 15 Weight: Use your judgement

Technique: Sit on the rowing machine's bench, and brace your legs against the footpads. Position yourself so that you have to lean forward slightly to grasp the cable attachment. Pull the cable towards your chest while straightening your back. The attachment should come to within 1-2 inches of your chest, and your elbows should travel behind your back. Return your arms to their original position until fully extended. Repeat 15 times. You can use either wide or narrow grip cable attachments.

[Picture: Side view of start of movement]

[Picture: Side view of end of movement]

B. Lateral leg swings Reps: 15 Weight: Bodyweight

Technique: Hold on to a post or exercise machine for stability. Plant one leg on the ground, with your toes pointing forward and try to hold that leg as steady as possible throughout the movement. Swing the opposite leg across your body and as high as it will go, then drive it downwards and back across your body, kicking as high as possible in the opposite direction. Keep your torso pointing forward the entire time – do not allow yourself to rotate from side to side. Swing from one side to another 15 times, the switch to the other leg.

[Picture: Leg at top of swing in one direction]

[Picture: Leg at top of swing in opposite direction]

6. A. Hammer curls Reps: 15 Weight: Use your judgement

Technique: While standing up, hold a dumbbell in each hand, with your arms at your sides and your palms facing inwards. Keeping your upper arm and back steady, curl your arm until your forearm is nearly vertical. Return your arm to its starting position. Keep your wrist rigid and your palms facing inwards throughout the motion. You can alternate between arms, or do 15 reps on one arm, then switch.

[Picture: Side view of start of movement]

[Picture: Side view of end of movement]

B. Lying hip extension Reps: 15 Weight: Bodyweight

Technique: Lie on the ground on a mat. Bend one leg and place it on the ground, while keeping the other leg straight. Raise your body by straightening the bent leg, until your hip and torso are aligned and you cannot raise your body any higher. Keep the other leg straight and don't let your bent leg flare out to the side. Depending on how close the bent leg is to your body, this exercise will emphasize the hips or the glutes. Adjust to whatever level you're comfortable with.

7. A. Plank Reps: 15-30 seconds Weight: Bodyweight

Technique: Lie on a yoga mat. Raise your body up on to your elbows and on your toes. Keep your back straight and rigid. Hold the position for as long as possible, making sure that your hips, back and leg do not sag downwards.

[Picture: Position from side]

B. Side Bridge Reps: 15-30 seconds Weight: Bodyweight

Technique: Lie on your side on a yoga mat. Raise yourself upwards using one arm (either fully extended or on your elbow). Keep your hips and legs rigid so that your body forms a triangle. Hold the position for as long as possible, making sure that your hips and legs don't sag inwards. After doing one side, switch to the other side (so you perform the side bridge twice).

[Picture: Position from side]

C. Front Bridge Reps: 15-30 seconds Weight: Bodyweight

Technique: Sit on the ground with your legs extended and your arms on the ground behind your back in a position that's comfortable to you. Tense your abs, butt and hamstrings and straighten your legs, so that your body forms a straight line from your head to your feet. Hold this position rigidly for as long as possible, making sure that your torso doesn't sag downwards.

[Picture: Position, from side]

D. Crunch up Reps: 20 to 30 Weight: Bodyweight

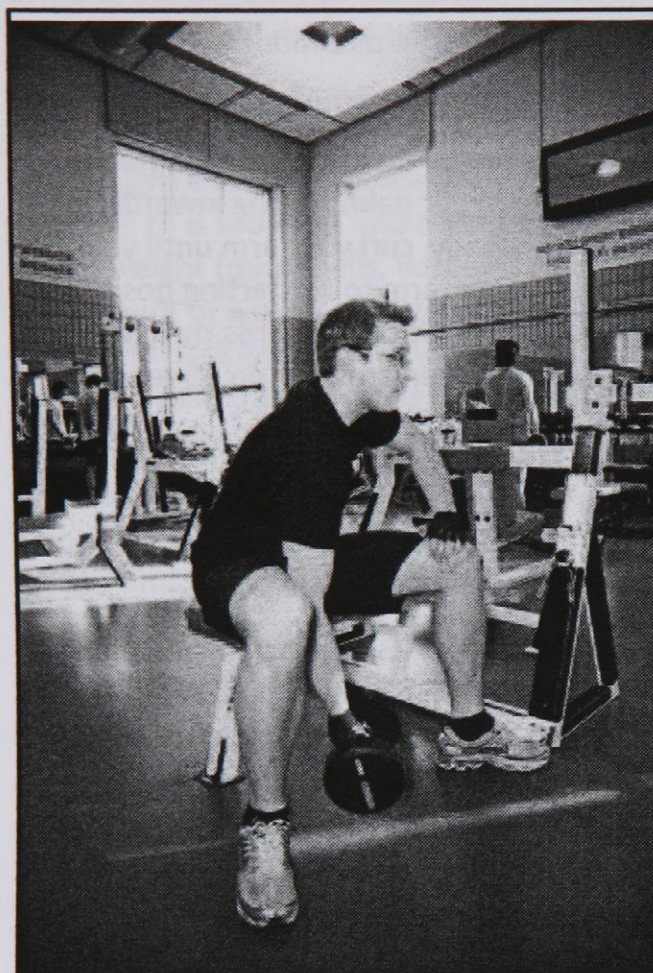
Technique: Lie on your back on a yoga mat. Point your legs straight upwards. Reach out towards your feet and crunch upwards as far as you can by contracting your ab muscles. This should lift your upper back up off the mat. Depending on your ab strength, your lower back may lift off the mat as well.

[Picture: side view at top of motion]

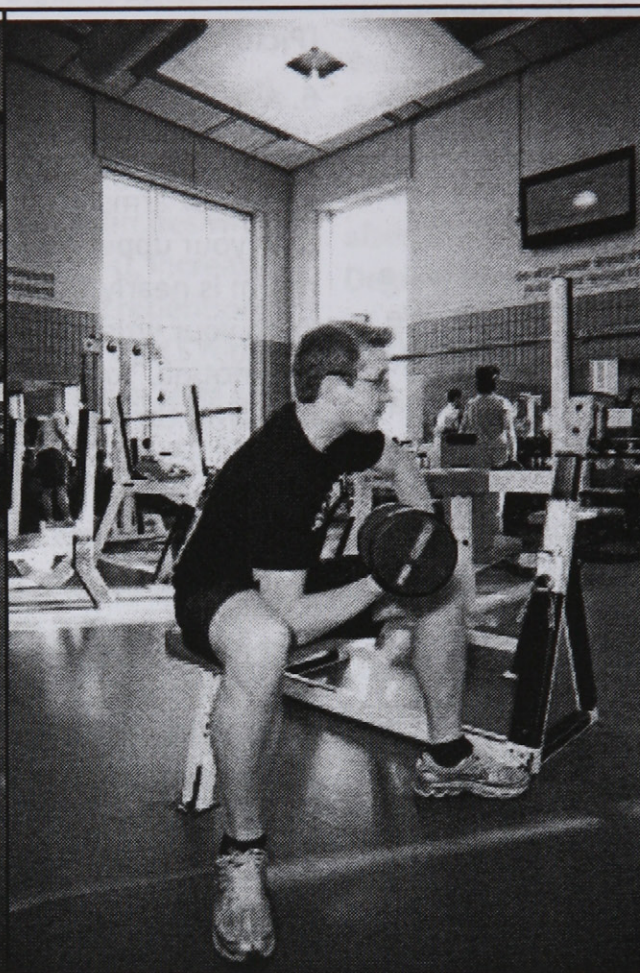
E. Hip Raise Reps: 20 to 30 Weight: Bodyweight

Technique: Lie on your back on a yoga mat. Point your legs straight upwards. Raise them in to the air by contracting your abs so that your hips lift up off the mat. To get a full range of motion, your lower back should lift up off the mat as well, crunching your lower abs on to your upper abs.

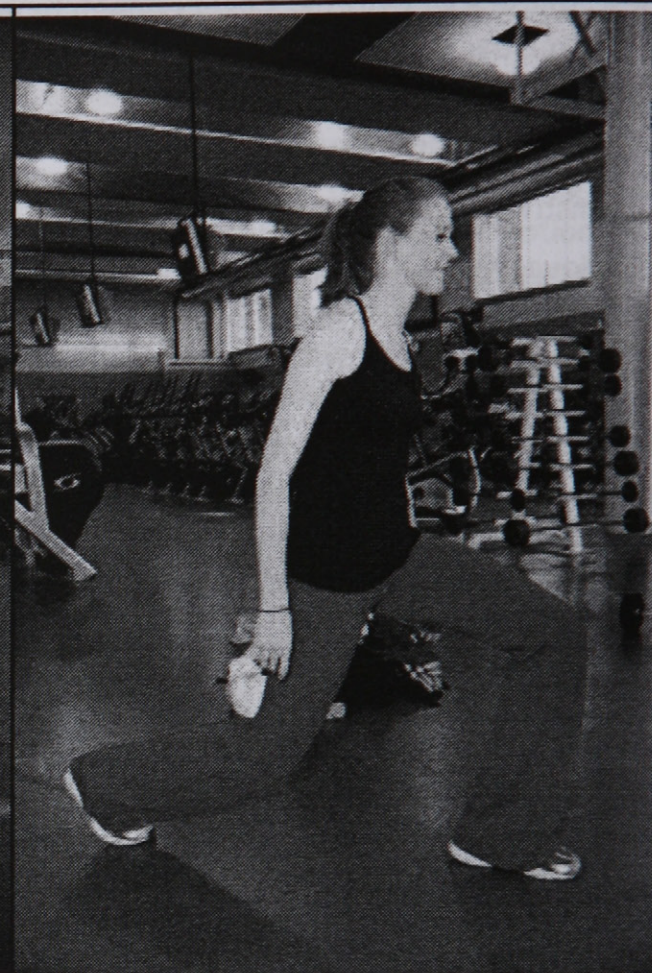
[Picture: Side view at top of motion]



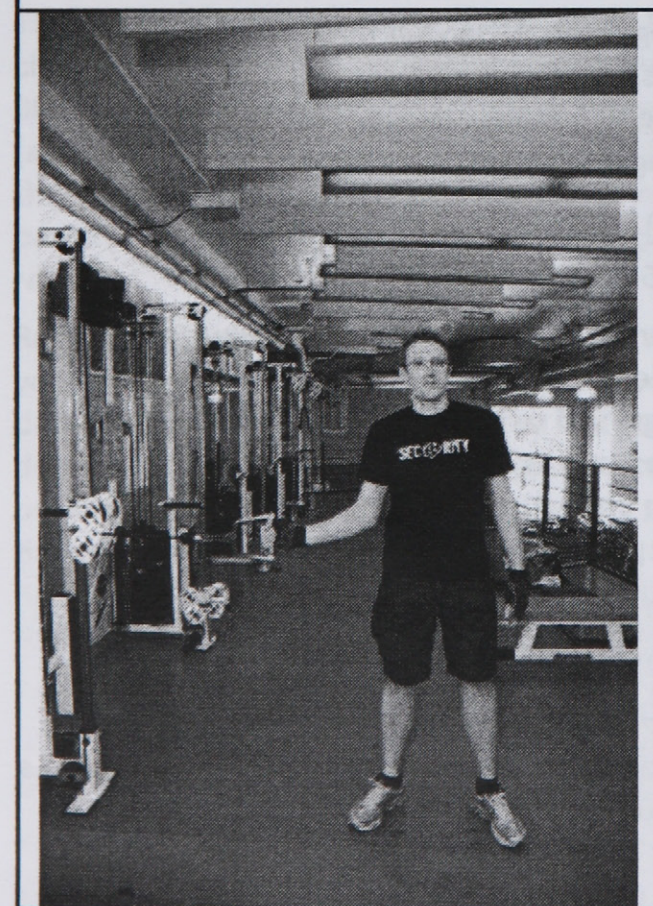
1Ai



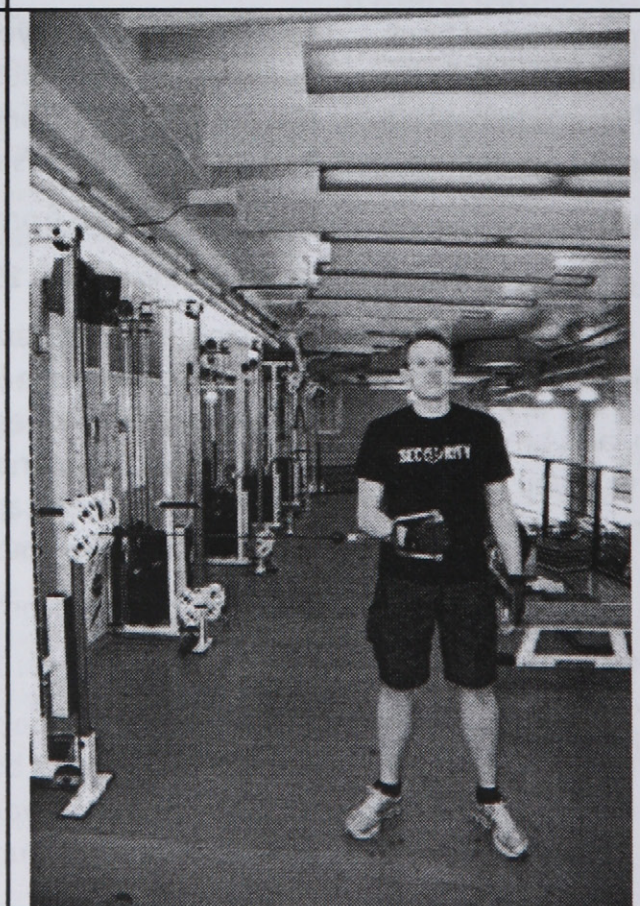
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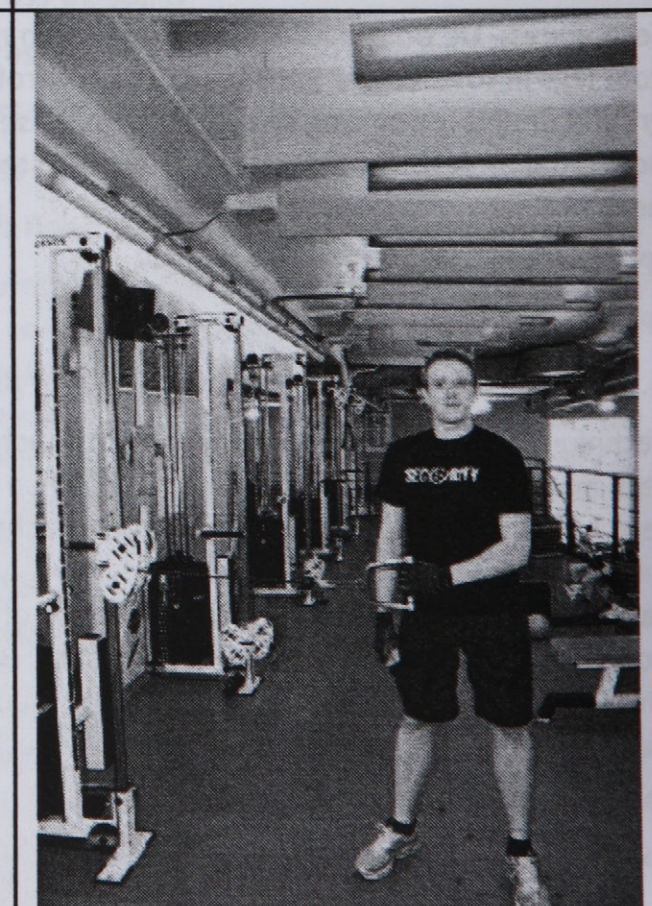
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2Ai

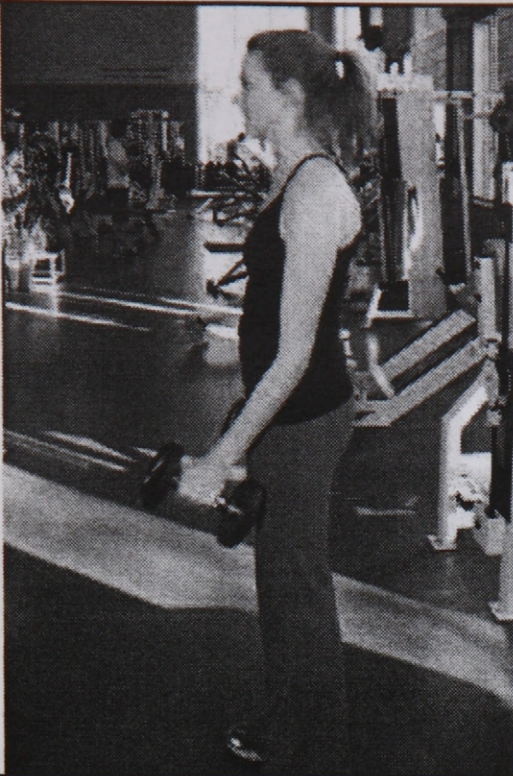


2Aii

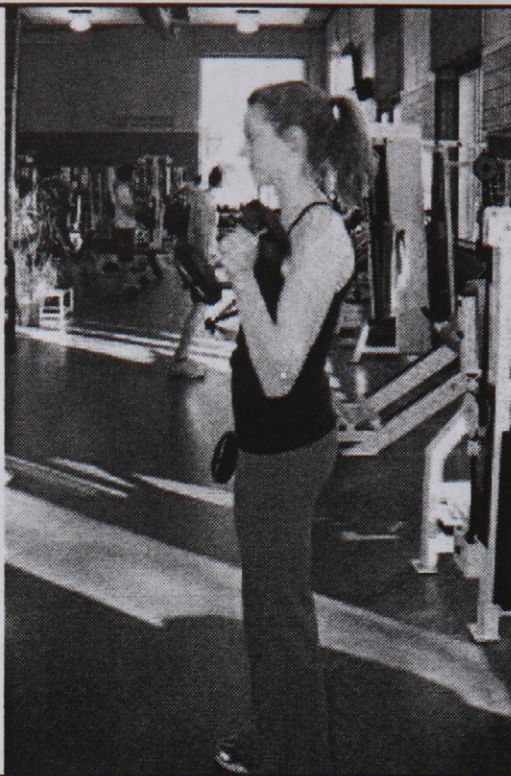


2Aiii

		
2Aiv	3Ai	3Aii
		
3B	4Ai	4Aii
		
4Bi	4Bii	5Ai
		
5Aii	5Bi	5Bii



6Ai



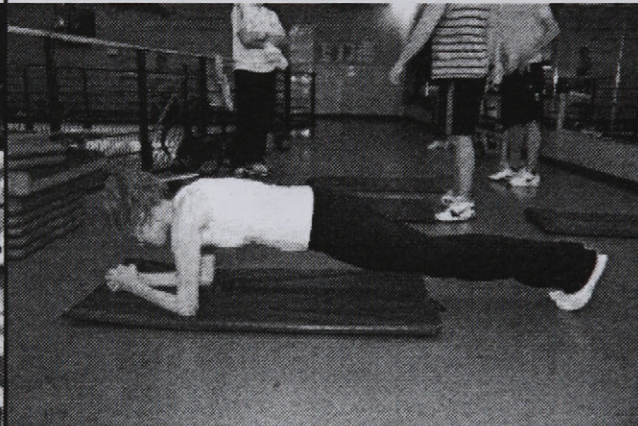
6Aii



6Bi



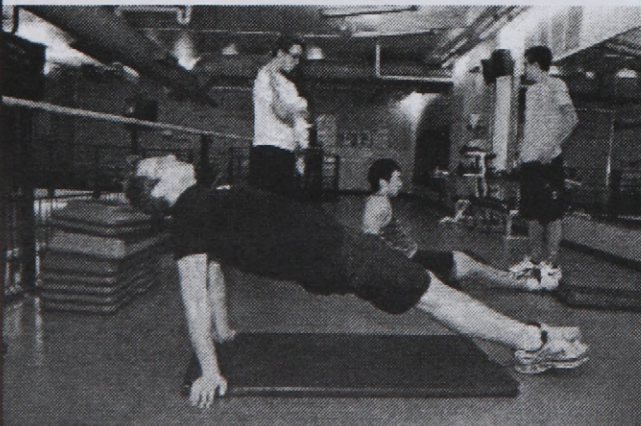
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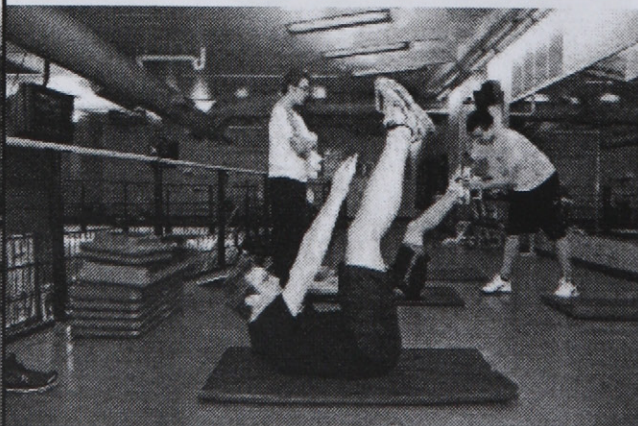
7A



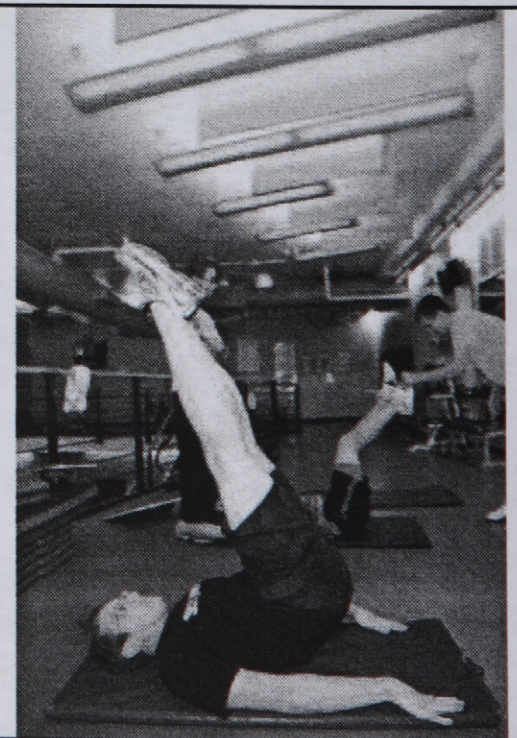
7B



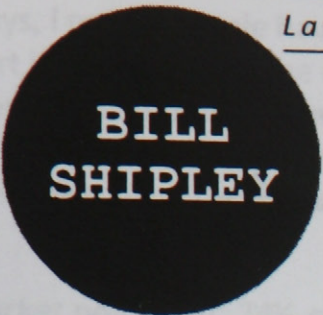
7C



7D



7E


**BILL
SHIPLEY**

ECO/TORTS HAIKU SUMMARY

Back by popular demand – this goes out to all the First-Years – all thirty cases from first semester, in the shortest format ever: 17 syllables. Enjoy.

Papadatos v. Sutherland
Double jeopardy?
Home torturers are punished
For their crime with time

Bolton v. Stone
Exceptional hit
Risk was not foreseeable
Fence was care enough

Wagon Mound 2
Let the oil slick slip?
Reasonable engineers
Must have reason to

Labelle v. Gatineau
Smoldering fire hole
Fence was the least you could do
When boys will be boys

Oeuvres des terrains de jeux v. Cannon
Bon père de famille
Il faut laisser les jeunes filles
Glisser dans la vie

McHale v. Watson
Spiked pole in the eye
Objective standards ask why
But "boys will be boys"...

Ginn v. Sisson
Don't throw stones at girls
Everybody knows that that's
Objectively wrong

Ter Neuzen v. Korn
Donate AI AIDS
Standards of risk apparent?

Apparently not
Roberge v. Bolduc
Res judicata
Confers good, valid title.
Notaries, take note.

Waldick v. Malcolm
Slip on the ice dear
Occupy your premises,
You have all the risk

Morin v. Blais
Tractor, no tail light
Deadly accident at night
Statutes fault it right

Canada v. Saskatchewan Wheat Pool
Grimy grain silo
You can breach a statute but
It's still not your fault

Gaudet v. Lagacé
Don't play with fire boys.
Presumably bad parents?
No, their rules were safe.

Ginn v. Sisson II
« Ce n'est pas ma faute:
Je t'ai bien enseigné, mon
Mauvais petit fils. »

Ira v. Bushy
Drunken sailor man
Coast guard pays your shore
leave time?
They'll pay for your crime.
Le Havre des Femmes c. Dube
Bad embezzler
Fraud at home doesn't count,

it's
Not in course of work
Bazley v. Curry
Bedtime tucker-in
Fondling wasn't figured
But it should have been

Jacobi v. Griffiths
Girls Club mack attack
Material increased risk?
No non-profits don't

Rylands v. Fletcher
Act at your peril
You tiresome nuisance,
contain
Your mischievous pond:

Doucet v. Shawinigan Carbide
Boilers don't explode;
Res ipsa loquitor may
Allow strict rulings

City of Montreal v. Watt and Scott
Once-a-lifetime storm?
Sewers' smell test fails when
it's
Happened thrice before

Lambert v. Lastoplex Chemicals co.
Make sure labels tell.
Explicit dangers don't sell,
But you know them well.

Barnett v. Chelsea
Arsenic works fast
Even though lazy doctors
May not give a crap.

St-Jean v. Mercier
Cause, not fault, is fact,
Let's not shy from that, even
With a broken back.

Snell v. Farrell
Operation's fault
Causes inference despite
Blind uncertainty.

Laferrière v. Lawson
This may sound harsh, but
Balanced evidence suggests
You wouldn't make it.

Cook v. Lewis
When shot in the face,
The onus attaches to
Culpability

Bailey v. MDA
Cumulative cause:
It's not but for nothing that
Increased risk injures.

Fairchild v Glenhaven Funeral Services
Asbestos fibers
Work injustice greater than
Finding all at fault.

Sindell v. Abbott Laboratories
Market share damage:
California dreaming of
Modernizing law.

CHARLIE
FELDMAN

DROIT À L'IMAGE

Well, this semester FLEW by – I can't believe it's the last Quid already!!!

I would like to thank all my spies for making this section possible, and encourage you to think about spying for me next semester :-). There may be rewards at the end of the year out of the Quid budget (wait, we have funds yet can't afford a dictionary? Oh yes....)

Good luck on exams, everyone, and have a happy and safe holiday season!

-Charlie

...Disons... (Overheard @ the fac)

Prof. Leckey: Law is only as beautiful as a 3-hour exam allows it.

Prof. [Redacted]: When you're dating you might go to a dance, see someone across the room, and decide you'd rather go home with that other person. You want to be a little more careful when you marry someone. You typically don't want to marry someone who has bad personal hygiene or a communicable disease.

Prof. [Redacted]: What if you told the judge, "I had no clue!" And the judge believed you, since you're generally clueless...

Prof. [Redacted]: We are a little behind so we will make the two doctrinal readings optional. There is no room for doctrine in contracts!

Prof. [Redacted]: Je vais vous épargner mon imitation de Duplessis...

Classe déçue: Ahhhhh...

(20 minutes plus tard, à la grande joie de la classe: imitation de Duplessis!)

Prof. Moyse: C'est ça la vie, plus de chaussettes, plus de cerveau.

Guest speaker in JICP : C'est des grands couvents les palais de justice, ça placote.

Prof. Gold: If you get your history from lawyers... well, you're in trouble.

1L: I have a question that's not that useful—

Prof. Dedek: That's a terrible way to start a question!

Me. Mitchell: Have the courage to be stupid. ... Congratulations for being stupid!!

Prof. [Redacted]: Before we start, I have a video that will really get you going!!

Prof. Moyse: C'est un exercice de séduction, la rédaction d'un brevet.

Prof. Gold: Famous people have a way of dying... well we all have a way of dying I guess. It's just that famous people do it more spectacularly.

Prof. [Redacted]: It's not a good time to be an immigrant anywhere in the world, is it?

Prof: Well, what would you need to make this decision?

Student: Time

Prof: Okay, in the made-up scenario, you have time... what else do you want?

Student: Uhhh.... More time?

Prof. Dedek: [After showing a clip from the Colbert Report]: Thanks for indulging me, there is surprising little on contracts of adhesion on TV...

Prof. [Redacted]: Did I tell you my story about how a colleague of mine retroactively changed the law in a way that made no sense? He had a student who became a judge and upheld my friend's interpretation of the [REDACTED] Act. And since the common law is retroactive, my friend was always right. As long as students are willing to listen to us and stick it in a judgment we can say whatever absurdities we want.

Prof Klein: ... and my answer to everything is 42.

Class: [No response.]

Prof Klein: I was really hoping that would go over better....

Prof Klein: I'm no expert in Secured Transactions

?L (whispered): Nor am I according to my transcript...

Prof. Klein: I am not a master of the doc cam, unlike Prof. Leckey.

2L: How should we identify ourselves [on the quiz]?

Lamed: By name!

(class is incredulous)

Me. Lamed: What? Just like you don't put a paper bag over your head when you go to court, we identify ourselves by name in this class.

Dean Jutras: Nice moustaches by the way guys, I notice people have put a lot of effort in to them over the course of November. Too bad they'll have to be shaved off very soon. Is that the idea, or are they here to stay?... Don't answer that.

Clicker poll result: 74% of students did not read text.

[Laughter]

Dean Jutras: That's not funny! That's kind of sad.

Dean Jutras: Judges render over 100 judgments a year... whop whop whop (makes windmilling movements with hands)

(Charlie's note: I wasn't there so I'll have to trust this is what it looked/sounded like – and I love the mental picture!!! lol)

Prof. [Redacted]: If you're going to be a drug courier, you're better off having a valid drivers license.

Guest Speaker: (start of lecture) You know who I am.

(STUDENT OVERHEARDS)

1L: Man these lockers are so small, you can't do anything with them. (NOTE: This is a 1L... and he/she was being serious!!!)

3L: I'll pass on the multiculturalism [lecture]

2L: You would, wouldn't you?

2L: I'm such a law school nerd, this summer I got STONED and watched the Elana Kagan hearings... in their entirety. It was fantastic.

3L: The Romanians are the chosen people—the Bible has it wrong!!!

3L: New Brunswick has no culture... like NO culture AT ALL.

Law School of Rock 2011 (again!)

This past Thursday, November 25th, law students gathered at Club Lambi for Law School of Rock 2010 (again!). This annual event (or in this case, bi-annual as we had another 'Law School of Rock' in the winter semester) is a charity fundraiser – sponsored by Blakes – with proceeds going to Chez Doris, Dans la Rue, Share the Warmth and the Old Mission Brewery.

On behalf of the organizing committee, I'd like to thank all of the performers for devoting their time and talents to this worthy cause. We would also like to thank in particular Jamie Desjardins (3L) for his invaluable assistance in sound and technical support throughout the evening. Also, thanks to those who came out despite the cold weather and being on the brink of exams!!

On a personal note, I'd like to congratulate Krista and Steven (my fellow LSOR committee members) on a successful evening and thank them for putting up with me :-). I'd also like to thank all the other people who lent a hand: Nick T. for renting the equipment; Mari, Melanie, and Nick C. (and possibly others I'm forgetting) for helping us move equipment at the end of the night, and Corey for helping us move things on Friday.

Lastly, if you have any feedback (positive or negative) about anything Law School of Rock (venue, acts, scheduling) let us know so we can pass it along to next year's committee and improve the event for everyone.

Thanks!

-Charlie



4L Natai Shelsen rocks out to a song whose title we can't print here.... the Quid is sorry for driving round town with the girl you love :-P

**CHARLIE
FELDMAN**

DROIT À L'IMAGE



4L Lucinda Tang cover of Katy aPerry's Teenage Dream –way better than anything they did on Glee!



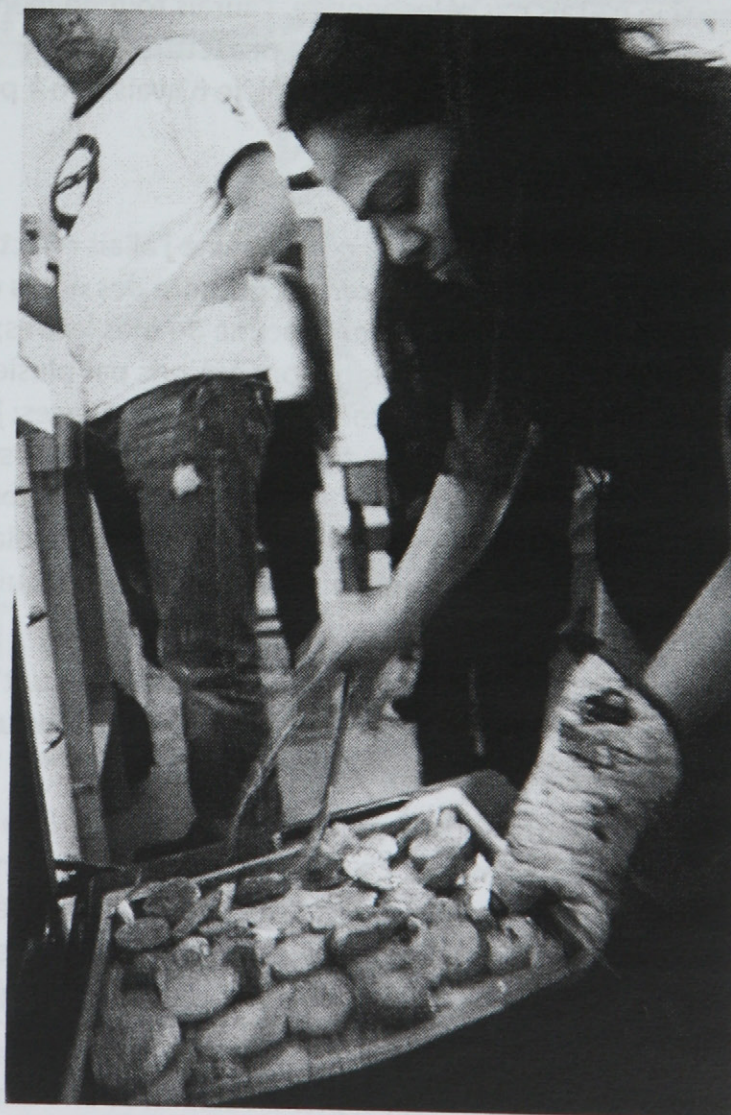
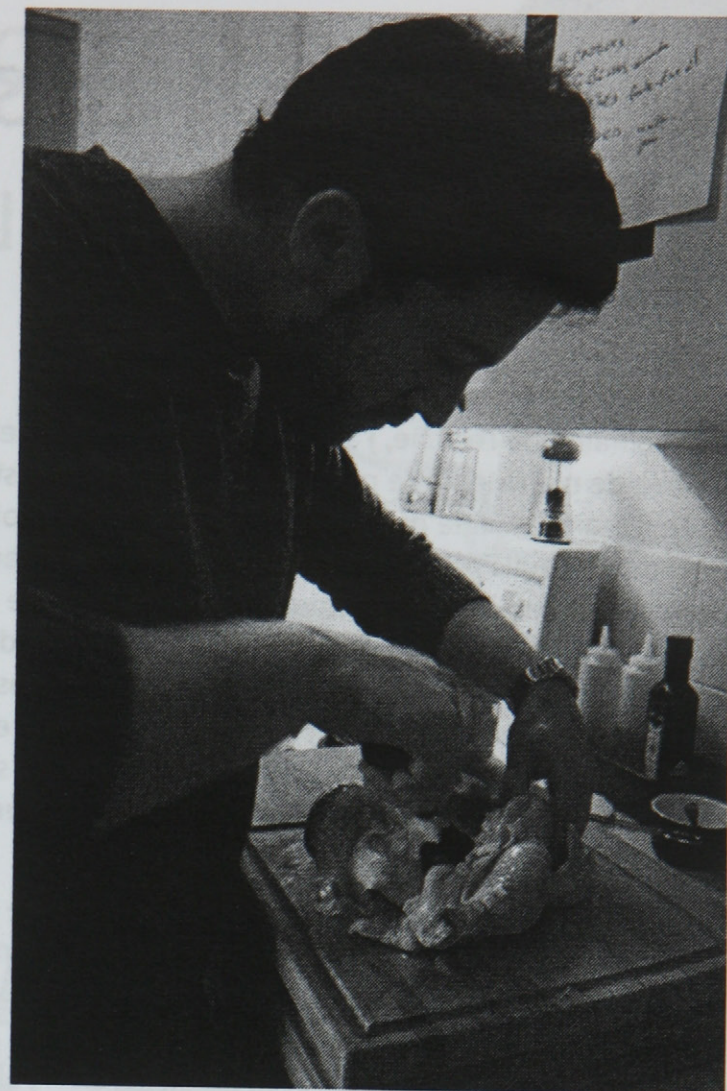
4L Nick Turp leads The Antakis in a whole abunch of songs I didn't recognize in The Antaki's last Law School of Rock performance...



Illegal Meth is the name of the group – what more is there to say? POINT FIRST! :-)



1L group FINKYTOWN rocked! Here's to the start of a new Law School of Rock staple! Great job 1Ls!



Sponsored by the Comité du Bien-être étudiant: A night of learning, fun and feasting chez Joey Flowers.

The former pro chef gave a group of McGill law students a gourmet-made-easy cooking lesson along with helpful nutrition tips by his Dietician wife, Jayne.

ANNABEL
BUSBRIDGE

LA SÉDUCTION DE LA COURSE AUX STAGES

Pendant la semaine de relâche, j'ai réalisé que mon défi cette année va être de me retenir de participer à la course aux stages. À la rentrée, j'étais certaine que je voulais travailler en droit international public, mais j'étais indécise quant à la course aux stages. Je recevais des conseils de tous côtés: l'expérience dans un cabinet nord-américain serait un atout pour travailler dans le domaine du droit international ; les ONGs n'entraînent pas leurs employés, ils s'attendent à ce qu'ils sachent déjà quoi faire alors que les grands cabinets te montrent comment les choses se font. Avec ces pensées en tête, j'ai fait une petite liste de « pour » et « contre » :

Pour : je pourrais confirmer que ce n'était pas le domaine de droit dans lequel j'aimerais travailler, j'acquerrais des connaissances qui seraient utiles peu importe où je finirais par travailler, et je serais capable de payer mes dettes plus rapidement. La cerise sur le sundae serait la fierté de pouvoir déclarer: « j'ai réussi à obtenir un stage chez McCarthy Tétrault ». Je me disais donc que, même si je n'étais pas sélectionnée, j'aurais tout de même eu l'occasion de pratiquer la préparation des lettres de motivation et de passer des entrevues. Selon moi, je n'avais rien à perdre.

Alors j'ai décidé d'y participer.

J'ai formulé une stratégie : une fois par semaine j'allais effectuer une recherche sur un cabinet différent et prendre des notes détaillées pour m'aider à personnaliser chacune de mes lettres; j'ai pris des rendez-vous avec des amis qui ont été pris par plusieurs grands cabinets pour qu'ils me racontent leurs expériences; je pensais aussi couper mes cheveux dans un style plus professionnel et acheter mon premier tailleur; je réfléchissais aussi aux réponses que j'allais donner aux interviewers et comment j'allais les convaincre que j'étais passionnée par les fusions et acquisitions.

Interviewer : « Annabel, d'après ton CV je peux voir que tu t'intéresses beaucoup aux droits de la personne, pourquoi ne veux-tu pas continuer dans la même voie? »

Moi : « Bien que les droits de la personne m'intéressent, j'aimerais explorer un autre domaine. Ce qui m'a frustrée lors de mon dernier stage en dans le domaine des droits de l'homme, c'était l'usage inefficace des ressources humaines. J'ai complètement confiance dans le fait que je ne rencontrerai pas ce genre de problème au sein de votre cabinet »

Pendant la semaine de relâche, j'ai pris un café avec une amie du secondaire qui a travaillé dans un des grands cabinets l'été

passé. Elle me racontait comment elle a adoré son travail, comment son équipe était formidable et ses dossiers fascinants. Elle a avoué qu'elle avait travaillé au moins 12 heures par jour, y compris les fins de semaine, mais elle a épargné énormément de sous, car elle n'avait pas le temps d'en dépenser!

Après cette rencontre, je me sentais mal à l'aise. D'un côté j'étais séduite par la compétition et la chasse pour un bon stage. De l'autre, je savais que je ne voulais pas travailler dans un grand cabinet. J'essaie toujours de maintenir une vie bien équilibrée. Aurai-je le temps de faire mes compotes et mes pains maison en travaillant dans un grand cabinet?

Ce rendez-vous m'a forcée à réfléchir. Pourquoi investir autant d'efforts et de temps pour arriver à un endroit où je n'aimerais même pas être? Le droit international est également compétitif. J'aurai besoin de toutes les langues et expériences possibles pour poursuivre mes objectifs. Une avocate en droit international m'a dit que le trajet professionnel dans ce domaine est défini par chacun individuellement. Au début cela m'a intimidée et m'a peut-être poussé davantage vers la course aux stages. Travailler en droit commercial est tellement bien défini : stage, offre d'emploi, devenir associée, signature d'un contrat avec le Diable... Mais j'ai réalisé que l'occasion de déterminer mon propre parcours est une liberté et non une contrainte. Je pourrai suivre exactement ce qui me passionne.

J'ai récemment eu l'idée d'aller au Pérou l'été prochain, non seulement pour améliorer mon espagnol, mais également pour monter un projet de droit au sein d'une communauté autochtone. Je sais que j'aurai encore des doutes cet hiver pendant que tous mes collègues passeront des entrevues, mais il faut que j'aie confiance en moi.

Bonne chance à tous ceux qui font la course aux stages – amusez-vous bien !

**H É L È N E
V A L L É E**

A MESSAGE FROM THE LSA

Nous avons eu notre première rencontre avec Aramark le jeudi 11 novembre. Students and staff made a wide range of recommendations via facebook, email and the "Suggestions" envelope posted on the LSA board. The LSA agreed with Aramark on a few points and the following changes will be realized in the coming weeks. They include:

- Bread from Première Moisson
- More real fruit or vegetable juices
- Dasani will be replaced by Evian or Montclair
- The menu will be revised in order to make room for warm meals in the evening
- There will be sandwich options for people suffering from Celiac disease.
- A greater variety of healthy snacks will be available (nuts, powerbars etc...)
- A greater selection of baked goods will be offered and, if students ask for it, some options will be available from Première Moisson—however, they will be a little bit pricier.

Laissez-moi savoir si vous avez d'autres préoccupations ou suggestions concernant les services alimentaires à la Faculté, merci pour votre intérêt!

p.s. Concerning the "MICROWAVE SITUATION": Cleaning products will now be available (i.e. paper-towel) so that we can start to clean up after ourselves. If your meal overheats in the microwave and explodes in the process, please, PLEASE, clean it up; we do not want meals transforming into a crusty-like substances, attracting bugs and other "things" not welcome in our Faculty. Merci!




1,2,3...ET C'EST PARTY!

Your class Presidents are thinking of you in spite of exams and papers! They are organizing epic events that will kick off your Holiday season! Here is what is happening:

L1: Dec 14 starting at 10 pm @ La Shop, \$2 drinks at the bar, live DJ!! All are invited!

L2: Le 21 Décembre à partir de 19h. First 60 tickets are 25\$. The following tickets are at 40\$. Ticket includes: All you can drink (scotch, martinis, and so on) from 7 to 10 pm. Plenty of nice Canapés. Music. Ambiance. General awesomeness! @ L'Hotel Nelligan, 106 rue St Paul West. Montreal. For tickets please see Marc-etienne Ouimette or Gabriel Arun.


 MINA
CHAMSI

L'ÉLÉGANCE DU HÉRISSON

“Mme Michel, elle a l’élégance du hérisson: à l’extérieur, elle est bardée de piquant, une vraie forteresse, mais j’ai l’intuition qu’à l’intérieur, elle est aussi simplement raffinée que les hérissons qui sont des petites bêtes faussement indolentes, farouchement solitaires et terriblement élégantes. »¹ A hedgehog. This is how the main character of the novel *L’élégance du hérisson* describes the fat and ugly janitor who cleans the floors of the Parisian apartment occupied by rich and affable diplomats.

Other than reading novels, to remind myself that there is life outside of Law School, I still manage to make time for legal material. In fact, I attended a hearing at the Federal Court yesterday, in which an immigration lawyer sought a stay of removal for her client risking torture and death if sent back to his country of origin. She seemed to me like that hedgehog who vehemently argued and counter argued, delivering a magisterial performance. However, at the end of that hearing, she walked to her client, and, on the hedge of tears, bowed to his strength and courage for listening to the other party’s submissions.

Observing her and the other immigration lawyers throughout my Legal Clinic course this semester allowed me to get a better sense of the different types of lawyering that we’re not necessarily taught in law school. It is, like Mari Matsuda qualifies it, about a multiple consciousness that “encompasses the search for the pathway to a just world.” The first tenured female Asian American law professor in the United States urges lawyers to “see the world from the standpoint of the oppressed.” That multiple consciousness stems from our inside knowledge, our stories and experiences. It is formed by our sensitivities that help us situate issues in a wider perspective, and adopt a more systematic approach in achieving our goal as jurists.

This multiple consciousness gives substance and meaning to legal terms, notions, principles. Words such as Justice, equality, liberty, and rights are then more than neutral terms. They become strategic legal tools for the battles we choose to lead. For the pregnant asylum seeker whose rape was perpetrated in front of her parents’ eyes and who was told by the commissioner of the Immigration and Refugee Board that he understood her but that her detention for identity will be maintained. For the nine Moroccan men who risked their lives for a better tomorrow, in the darkness and in the silence of a container for a week, and miraculously landed in Montreal. For the Afghan refugee who struggled to escape the horrors of his homeland and arrived in Canada at the age of 16 to find himself under a removal order, and thus inspiring a group of activists

to name their refuge home for new immigrants in his honour. For the grandfather whose dignity, already trampled on by his home country’s regime and its inhuman treatment of its citizens, has nothing left of it when detained and handcuffed like a criminal while attending a medical appointment in the fair and democratic country in which he seeks asylum.


Therefore, not only are lawyers hedgehogs who must use their inner sensitivities and give it form with the metaphorical legal spikes, but they are also warriors who lead these fights for the most vulnerable. Like Prof. Patricia Monture explains, the greatest warrior is the one who stands for peace. “A warrior knows where he’s come from, and where he’s going.”

When I was in CEGEP and told my philosophy teacher that I was going to study Law at McGill, his surprise with regards to my decision and his prejudice against the legal profession was more than a little obvious. “Avocate? Toi? Mais t’es ben trop honnête et intègre pour aller en droit!” It took me a while to explain to him my reasoning. At the end of the semester, the last advice he gave me was the following: “Ne change pas.” I can say for sure that I know where I come from. Therefore, I know where I’m going. I’m perhaps a little less ideological than when I started, a little more mature and hopefully a lot more knowledgeable about the Law after these three years spent in Law School, but in essentials I remain the same person who entered these doors that first day.

Despite the difficulties one may encounter as a law student: the all nighters, the high doses of caffeine in our system, the stressful process of “Course of stages”, the difficulty to find one’s path toward the perfect and fulfilling future career in the labyrinth that constitutes the legal field, the rejected applications, the personal difficulties and dilemmas or the unexpected obstacles that life throws at us (and that’s not even half of it!), I believe lawyers must always acknowledge their privileged position as agents of justice.

When listening and explaining to a refugee who is detained at the Holding Centre what are his options to advance his claim, the Immigration and Refugee Protection Act will ultimately be the lawyer’s main tool. Et lorsque l’avocat l’utilisera comme outil pour avancer sa cause et défendre son client, il le fera avec l’élégance d’un hérisson.

¹ *L’élégance du hérisson*, Muriel Barbary, Gallimard, Paris, 2006, p. 136.


 VINCENT
RANGER

PEUT-ON ENTERRER UNE FOIS POUR TOUT LE DÉBAT J.D. vs LL.B.?

Réponse à l'article de Charlie Feldman

Ça fait maintenant près de deux ans et demi que je fréquente cette faculté. Durant cette période, je ne compte plus le nombre de fois où un étudiant a tenté, sans succès, de lancer un débat sur la modification du diplôme *Legum Baccalaureus* (LL.B.) en un diplôme *Juris Doctor* (J.D.).

Ce débat est inutile et l'absence de candidature pour siéger sur le comité de réflexion le démontre bien.

L'article de mon collègue et ami M. Feldman, expose tout à fait le vide argumentatif qui sous-tend cette modification. L'argument de M. Feldman se résume ici:

« At the risk of over-simplifying things, the J.D. is the American version of our LL.B. Some schools in Canada have switched to a J.D., which is believed by some to be more recognized and understood than our LL.B. [...] Long story in short: In Canada, it's essentially just a name change. We could, in theory, call the degree M.D. if we wanted. »

(Charlie Feldman, « JD-LLB: What's up!? » *Quid Novi*, vol 32, no 8)

Les deux arguments des partisans de ce changement sont précisément ceux qu'expose M. Feldman. Premièrement, il semblerait que plusieurs facultés changent de LL.B. à J.D., alors pourquoi pas nous ? Deuxièmement, un diplôme serait mieux reconnu aux États-Unis puisqu'il porte le même nom que ceux que les facultés offrent au sud de la frontière.

Bref, les partisans du J.D. veulent simplement inclure la faculté dans un prétendu mouvement d'uniformisation des titres de diplômes en Amérique du Nord. Il s'agit d'un débat de forme, qui n'a aucune valeur académique. Changer pour le plaisir de changer ne me convainc pas de m'impliquer dans un comité pour militer en faveur de ce changement ! Au surplus, assujettir l'appellation de nos diplômes aux désirs du marché du travail étatsunien est loin de m'amener à être en faveur de ce changement sémantique.

Si, malgré tout, M. Feldman avait réussi à me convaincre de m'impliquer dans le comité de réflexion, j'y aurais certainement siégé pour m'opposer à ce changement.

Ce projet a comme impact de perpétuer une continuelle distinction que la société crée entre les professions libérales et les autres disciplines. Sournement, le droit ne se satisfait jamais d'être traité sur un pied d'égalité avec le reste de la société. Le droit, comme la médecine d'ailleurs, a une foule de privilèges que sa position historique envieuse lui a permis de garder. La transformation du diplôme est l'une des manifestations de l'incapacité des professions libérales d'accepter d'être confondues à la masse.

La volonté de se doter d'une appellation distincte de diplôme conforte l'image qu'il existe une hiérarchie entre les disciplines universitaires. Passer d'une appellation de bachelier en droit (*Legum Baccalaureus*) à un diplôme de doctorat en droit (*Juris Doctor*) est une autre pierre dans le maintien de cette vision que le droit domine les sciences sociales, et au surplus, la société. En tout respect pour mon programme d'étude, je ne poursuis pas davantage des études doctorales que mes collègues en travail social, en histoire ou en sciences politiques.

Toutes les disciplines peuvent prétendre à la même valeur dans notre société. L'emprise qu'a le droit sur les autres sphères sociales, n'a pas besoin d'être conforté en trouvant une nouvelle distinction qui ramène sournement l'idée de la supériorité des études juridiques sur les autres diplômes.

ARIANE
LAUZIÈRE
ET
ALEXANDRA
MEUNIER

HOW CHRISTMAS STOLE SOME OF MY STUDYING PRODUCTIVITY

Is it me or it is starting to really smell like Christmas? Last weekend, I travelled back to Trois-Rivières (my hometown) and stopped at the mall. Much to my surprise, tons of kids were left screaming and waiting for more than an hour to be able to sit on Santa's lap for less than a minute. I finally got away from the grueling noise only to realize that I was surrounded by Christmas music and decorations, in every shape and form. Don't get me wrong, I LOVE Christmas. It just takes me snow and the beginning of December to really put me in the mood. All in all, that quick weekend introduction to Christmas (oh and I really feel sorry for those of you who got stuck in Montreal's *Parade du Père Noël* this weekend) reminded me of my childhood (indeed, Christmas is probably THE busiest time of the year for therapist) and of how traditions still influence you even as you get older. Although I am busy as hell with law school and even if I know that December is the worst month in terms of schoolwork, I always feel that the spirit of Christmas is taking over me. As of that moment, I want hot chocolate with small marshmallows or whipped cream (damn you Starbucks), gingerbread cookies, apple-cinnamon scented candles, and every kind of Christmas decorations, Christmas music, Christmas movies, winter cozy pajamas, and so on. Even if I wanted to, I JUST CAN'T STOP MYSELF!

Which leads me to my second point: Am I the only one watching "Love Actually" year after year around Christmas time? It seems that this movie never gets dull or tedious. It is extremely adorable, well written and well produced (and yes, I wish a hidden band could start playing *All you need is love* at my wedding, although I don't know how you can hide 3 trombones while sitting at a church...). All those Christmas movies take me back to when I was a little girl. I used to watch *Sissi* because I dreamed of becoming a princess, *Miracle on the 34th street* because I believed in Santa and *A Christmas Carol* because I wanted to be wealthy and help people. Today, I'm not a princess, I'm not wealthy and I do not believe in Santa anymore (sorry Charlie, I didn't mean to crush your dreams) but those movies still fill me with the same enlightening feeling every time I watch them.

Okay, enough with the cheesy part. The goal of today's column was not only to make you feel happier and enlightened by the Christmas atmosphere, but it also aimed at giving you some advice on how to deal with this forecoming Christmas and get yourself in the Christmas spirit.

1. Attend an IP class with Prof. Moyse. Chances are that he will show you a fantastic website: www.portablenorthpole.ca. Don't worry, there is a grown-up section (well, maybe you should worry...).

2. Insert some shiny confetti or sparkles between the pages of your Civil Code. It's of no use but it will definitely enhance it.

3. Change your coffee drinking habit by a hot chocolate drinking habit. The glorious Cornell University wasted time on a study showing that hot chocolate contains more antioxidants than tea! And it will cheer you up because it contains Phenethylamine (which is a natural monoamine alkaloid and psychoactive drug with stimulant effects, which seems perfect for law student in exam period).

4. Re-write some Christmas classics to express your creativity:

*Silent library, holy library

All is calm, all is packed

Round yon snails, stare angrily at them

Girl next to me sings Glee songs

Study in heavenly peace*

5. Reenact some famous law cases with gingerbread cookies. It will make you study and it's delicious!

I hope this column will help you go through the exam period with a magic Christmas mood. Christmas is less than a month ahead, so don't give up, the end of this semester is definitely approaching. Looking forward to write more columns for you next year! xoxo

" When men attempt bold gestures, generally it's considered romantic. When women do it, it's often considered desperate or psychotic". Carrie, Sex and the City

Ariane Lauzière et Alexandra Meunier

EDUCATION EQUITY COMMITTEE

Educational Equity Committee Suggestion Box Initiative

The Educational Equity Committee (EEC) is comprised of faculty administrative officers, professors and students. Its mandate is to help foster an environment in the Faculty which is inclusive of diverse identities, experiences and capacities. As part of its mandate, the EEC would like to inform students of institutional processes through which they can voice concerns about issues related to diversity and equity in the Faculty. With the Suggestion Box initiative, the EEC hopes to provide an additional avenue for students to participate in a constructive dialogue about these issues. We invite and value all respectful comments highly.

Students may convey diversity and equity related concerns or suggestions in person, by email or by telephone to Me Aisha Topsakal, Assistant Dean (Student Life and Learning), or they may deposit a message in the Suggestion Box located at the Student Affairs Office (SAO) counter.

Direct Contact:

1. Any student may convey any diversity or equity related concerns in person, by email, or by telephone to Me Topsakal, Assistant Dean (Student Life and Learning):

New Chancellor Day Hall, room 417

Tel.: 514-398-6607

Email: aisha.topsakal@mcgill.ca

The Suggestion Box:

2. This Box is for diversity or equity related concerns arising from a specific event, from the behaviour of a particular individual, the Faculty in general, or its institutional responses. Students may deposit messages in sealed envelopes in the Suggestion Box, which will be clearly marked and placed at the SAO counter. Me Topsakal alone will be responsible for its contents, from regularly opening the box as well as reading and following up on the comments. Students may include their contact information or submit messages anonymously. All submissions will be treated confidentially.

Me Topsakal will direct the content of messages from the Suggestion Box to the EEC to contribute to the development of a more inclusive environment within the Faculty. For this purpose, we encourage students to include concrete suggestions for better practices in their messages.

The EEC also invites students to approach individual members of the Committee with concerns diversity and equity-related issues in the Faculty. The EEC members this year are: Me Ali Martin-Mayer, Assistant Dean (Admissions and Recruitment), Me Aisha Topsakal, Assistant Dean (Student Life and Learning), Professor Kirsten Anker, Professor Vrinda Narain, Sasha Hart (3L), Mara Verna, (3L) and Cindy Kou (4L).

Le comité d'équité pour l'éducation- Initiative Boîte à suggestions

Le Comité d'équité pour l'éducation (CEE) est composé de membres de la direction, de professeurs et d'étudiant(e)s de la Faculté. Nous visons à favoriser un environnement à la Faculté qui est inclusif des diverses identités, expériences et habiletés. Dans le cadre de notre mandat, le CEE tient à informer les étudiants des processus institutionnels par lesquels ils peuvent exprimer leurs préoccupations sur des questions liées à la diversité de, et l'équité dans, la Faculté. Avec la Boîte à suggestions, le CEE vise à fournir un moyen supplémentaire pour les étudiants de participer à un dialogue constructif sur ces questions. Nous vous invitons à soumettre tout commentaire respectueux.

Les étudiant(e)s peuvent faire part de leurs préoccupations ou suggestions en personne, par courriel, ou par téléphone à Me Aisha Topsakal, doyenne adjointe (études et vie étudiante), ou ils peuvent déposer un message dans la Boîte à suggestion situé au SAO.

Contact direct:

1. Les étudiants peuvent transmettre tout soucis ou problèmes d'équité liés à la diversité ou à l'équité, en personne, par courriel ou par téléphone à Me Topsakal, doyenne adjointe (études et vie étudiante):

New Chancellor Day Hall, salle 417

Tél.: 514-398-6607

Courriel: aisha.topsakal@mcgill.ca

La Boîte à suggestions:

2. Pour les préoccupations découlant d'un événement particulier ou du comportement d'un individu en particulier, les étudiants peuvent déposer un message dans une enveloppe scellée dans la Boîte à suggestions. La Boîte est placée sur le comptoir du SAO. Me Topsakal seule sera responsable de son contenu, c'est-à-dire de vérifier la Boîte régulièrement, lire les commentaires, et faire les suivis. Les messages peuvent être soumis de façon anonyme ou avec les coordonnées de l'étudiant(e) selon la préférence de cette dernière. Tous les messages seront traités confidentiellement.

Me Aisha Topsakal communiquerait le contenu des messages de cette nature au CEE afin de contribuer à l'élaboration d'un environnement plus inclusif au sein de la Faculté. Les étudiants sont encouragés à aider le CEE dans cet effort en offrant des suggestions concrètes.

Vous êtes bienvenus de contacter directement les membres du CEE. Cette année, les membres sont: Me Ali-Martin Mayer, doyenne adjointe (admission et recrutement), Me Aisha Topsakal, doyenne adjointe (études et vie étudiante), Professeure Kirsten Anker, Professeure Vrinda Narain, Sasha Hart (3L), Mara Verna (3L), et Cindy Kou (4L).



Until we meet again in 2011...

The Quid Novi Team would like to wish all students and faculty members: Happy Holidays and good luck writing [or correcting] December finals !